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OCT 28 2005

60,298-397; ST 231

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Butcher, et al.

Serial No.: 09/963,772

Filed: 09/26/2001

Group Art Unit: 2836

Examiner: Nguyen, Danny

For: OVERLOAD STATUS INDICATOR
FOR A REFRIGERATION UNIT

RESPONSE

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is responsive to the Office Action mailed July 28, 2005. Please amend the application as follows:

60,298-397; ST 231

electrically in parallel with the switch such that a signal is provided "outside [the] compressor housing by diverting power to [the] signaling device from [the] motor, wherein current flows to [the] signaling device when [the] switch is opened." The cited references fail to disclose all of these claimed features either alone or in combination. Therefore, claim 14 and those claims depending therefrom are respectfully submitted as being allowable.

New claim 18 depends from claim 10 and is therefore allowable. In addition, claim 18 requires that the switch is "in communication with a power source and [the] winding of said stator." This feature is not shown either alone or in combination by the cited references. Claim 18 is therefore separately allowable.

For the foregoing reasons, Applicant requests allowance of claims 1, 4-10 and 14-18.

The Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

CARLSON, GASKEY & OLDS

By:

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Dated: October 28, 2005

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number 571-273-8300, on October 28, 2005.

Beth A. Beard
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